

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LIBERTY SURPLUS INSURANCE	:	
CORPORATION,	:	
	:	
Plaintiff,	:	
	:	
	:	CIVIL ACTION NO. 14-1066
v.	:	
	:	
MCFADDENS AT BALLPARK LLC,	:	
Defendant.	:	

ORDER

AND NOW, this 9th day of July, 2015, upon consideration of Liberty Surplus Insurance Corporation's Motion for Summary Judgment (Doc. 22), McFadden's at Ball Park Response thereto (Doc. 25), McFadden's at Ball Park's Motion for Summary Judgment (Doc. 23), Liberty Surplus Insurance Corporation's Response in Opposition thereto (Doc. 24), and all other briefs, exhibits, and papers herein, **IT IS HEREBY ORDERED AND DECREED** as follows:

1. Liberty's Motion is **GRANTED**; and
2. McFadden's Motion is **DENIED**.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this matter as **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, C.J.